

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DONALD JAMES COON,

Plaintiff,

-v-

1:19-CV-394
(DNH/ATB)

FRANK MEROLA, Rensselaer County Clerk;
and JANE/JOHN DOES, Clerks at County
Clerk's Office,

Defendants.

APPEARANCES:

DONALD JAMES COON
Plaintiff pro se
289 5th Avenue
Troy, NY 12180

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Donald James Coon brought this civil rights action pursuant to 42 U.S.C. § 1983. On April 8, 2019, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without prejudice but that he be given an opportunity to amend. No objections to the Report-Recommendation have been filed.

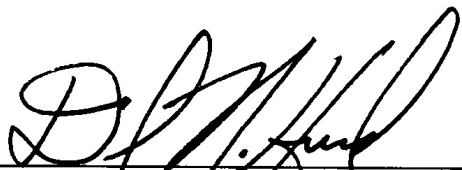
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED without prejudice;
2. Plaintiff is provided forty-five (45) days from the date of this Decision and Order to file an amended complaint that cures the defects identified in the Report-Recommendation;
3. If plaintiff files a timely amended complaint, it be forwarded to the Magistrate Judge for review; and
4. If plaintiff fails to file an amended complaint within forty-five (45) days of the date of this Decision and Order, the complaint be dismissed with prejudice and without further order.

IT IS SO ORDERED.


United States District Judge

Dated: May 3, 2019
Utica, New York.